

NO7000010049

(Requestor's Name)

(Address)

(Address)

(City/State/Zip/Phone #)

☐

PICK-UP

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WAIT

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MAIL

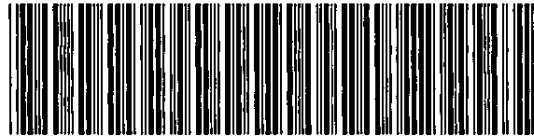
(Business Entity Name)

(Document Number)

Certified Copies _____ Certificates of Status _____

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DIVISION OF CORPORATIONS
TALLAHASSEE, FLORIDA

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2007 OCT 12 PM 2:31
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

C-8.10-15

ATTORNEYS' TITLE

Requestor's Name

1965 Capital Circle NE, Suite A

Address

Tallahassee, FL 32308

City/State/Zip

850-222-2785

Phone #

CORPORATION NAME(S) & DOCUMENT NUMBER(S), (if known):

1- LAKE SHORE HEIGHTS HOMEOWNERS ASSOCIATION, INC.

2-

3-

4-

☒ Walk-in

☐ Pick-up time ASAP

☒ Certified

☐ Mail-out

☐ Will wait

☐ Photocopy

☐ Certificate of Status

NEW FILINGS

☐	Profit
☒	Non-Profit
☐	Limited Liability
☐	Domestication
☐	Other

AMENDMENTS

☐	Amendment
☐	Resignation of R.A., Officer/Director
☐	Change of Registered Agent
☐	Dissolution/Withdrawal
☐	Merger

OTHER FILINGS

☐	Annual Report
☐	Fictitious Name
☐	Name Reservation

REGISTRATION/QUALIFICATION

☐	Foreign
☐	Limited Partnership
☐	Reinstatement
☐	Trademark
☐	Other

Examiner's Initials

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SECRETARY OF STATE
TALLAHASSEE, FLORIDA

ARTICLES OF INCORPORATION
OF
LAKE SHORE HEIGHTS HOMEOWNERS ASSOCIATION, INC.,
A Nonprofit Corporation

I, the undersigned natural person of legal age, who is a citizen of the State of Florida, acting as an incorporator of a corporation under Chapter 617 of the Florida Statutes, hereby adopts the following articles of incorporation:

Article I: Name

The name of the corporation is LAKE SHORE HEIGHTS HOMEOWNERS ASSOCIATION, INC. (hereinafter the "Association").

Article II: Non-Profit Status

The Association is a nonprofit corporation.

Article III: Duration

The period of its duration is perpetual.

Article IV: Purpose and Powers of the Association

The Association is formed for the primary purpose of providing for the development, maintenance, preservation, and architectural control of the residential lots and common areas within a certain tract of real property described on attached Exhibit A, to be subdivided. The subdivision

shall be known as LAKE SHORE HEIGHTS (the "Subdivision"). This Association is organized for the general purpose of functioning as the property owners association of LAKE SHORE HEIGHTS and to promote the health, safety, and welfare of the residents within the Subdivision and such additions thereto as may hereafter be brought within the jurisdiction of the Association for such purpose.

In furtherance of such purposes, the Association will have the power to:

(a) Perform all of the duties and obligations of the Association as set forth in a certain Declaration of Covenants and Restrictions of LAKE SHORE HEIGHTS applicable to the Subdivision to be recorded in the public records of Polk County, Florida, as amended from time to time (the "Declaration");

(b) Affix, levy, and collect all charges and assessments pursuant to the terms of the Declaration, and enforce payment thereof by any lawful means; and pay all expenses in connection therewith, and all office and other expenses incident to the conduct of the business of the Association, including all licenses, taxes, or governmental charges levied or imposed on the property of the Association;

(c) Acquire (by gift, purchase, or otherwise), own, hold, improve, build on, operate, maintain, convey, sell, lease, transfer, dedicate to public use, or otherwise dispose of real and personal property in connection with the affairs of the Association;

(d) Borrow money and, subject to the consent by vote or written instrument of two-thirds of the membership votes, mortgage, pledge, or hypothecate any or all of its real or personal property as security for money borrowed or debts incurred;

(e) Dedicate, sell, or transfer all or any part of the common areas to any municipality,

public agency, authority, or utility for such purposes and subject to such conditions as may be agreed on by the members;

(f) Have and exercise all powers, rights and privileges that a corporation organized under Chapter 617 of the Florida Statutes by law may now or hereafter have or exercise;

(g) Operate and maintain the surface water management facilities in the subdivision, including all inlets, ditches, swales, culverts, water control structures, retention and detention areas, ponds, lakes, flood plain compensation areas, wetlands, and any associated buffer areas, and wetland mitigation areas on the Properties;

(h) From time to time adopt, alter, amend, and rescind reasonable rules and regulations governing the use of residential lots, common areas, recreation facilities, surface water management facilities, and the like, as described in the Declaration, which rules and regulations shall be consistent with the rights and duties established by the Declaration and the provisions of these articles of incorporation;

(i) Sue and be sued;

(j) Contract for services to provide for operation and maintenance of surface water management system facilities;

(k) Take any other action necessary for the purposes for which the Association is organized.

The Association is organized and will be operated for the above purposes. The activities of the Association will be financed by assessments on members as provided in the Declaration, and no part of any net earnings will inure to the benefit of any member within the meaning of Section 501(c)(7) of the Internal Revenue Code of 1954, nor shall the Association engage in any other

activity prohibited by such Section.

Article V: Registered Office and Agent, also principal address

The street address of the initial registered office of the Association is 1400 Broadway Blvd., S.E., Polk City, Florida 33868, and the name of its initial registered agent at that address is Jesse Douthit.

Article VI: Management

The affairs and business of the Association shall be managed by a board of directors and by officers as provided in the Association's bylaws. The method of election of directors shall be stated in the Association's bylaws.

Article VII: Membership

Every person or entity who/which is a record owner of a fee or undivided fee interest in any residential lot which is subject by covenants of record to assessments by the Association, including contract sellers, but excluding persons holding title merely as security for performance of an obligation, will be a member of the Association. Membership will be appurtenant to and may not be separated from ownership of a residential lot in the Subdivision, which is subject to assessment, by the Association.

Article VIII: Voting Rights

The Association will have two classes of voting members, which are defined as follows:

Class A. Class A members will include all owners with the exception of the Declarant, as that term is defined in the Declaration. Class A members will be entitled to one vote for each residential lot owned. When more than one person holds an interest in any residential lot, all of those persons will be members. The vote for such residential lot will be exercised as such members

determine among themselves, but in no event will more than one vote be cast with respect to any residential lot owned by Class A members. Any member who is delinquent in the payment of any charges duly levied by the Association against the lot shall not be entitled to vote until all such charges together with any penalties as the Board of Directors of the Association may impose have been paid

Class B. The Class B member will be the Declarant, as that term is defined in the Declaration. The Declarant will be entitled to three votes for each residential lot owned. The Class B membership will cease and be converted to Class A membership as provided in the Declaration.

Article IX: Board of Directors

The affairs of the Association shall be managed by a board of directors, which shall consist of at least three (3) or more members, who need not be members of the Association. The number of directors may be changed by amendment to the bylaws of the Association but shall never be less than three (3). From and after the meeting immediately following the expiration of Class B membership in the Association, the board shall at all times be comprised of at least five (5) directors. The names and addresses of the persons who are to act in the capacity of directors until their successors are elected and qualified, unless they sooner shall die, resign, or are removed are as follows:

<u>Name</u>	<u>Address</u>
Kermit Weeks	1400 Broadway Blvd., S.E., Polk City, Florida 33868
Jesse Douthit	1400 Broadway Blvd., S.E., Polk City, Florida 33868
Steve Cabrera	1400 Broadway Blvd., S.E. Polk City, Florida 33868

The manner in which the directors are to be elected or appointed and the number of directors

shall be as stated and provided in the bylaws, as amended from time to time. Directors are eligible to serve successive terms in office without limitation.

Article X: Dissolution

The Association may be dissolved with the assent given in writing and signed by members entitled to cast not less than two-thirds (2/3) of the votes of the members. On dissolution, the assets of the Association and the control or right of access to the property containing the surface water management system facilities will be distributed or dedicated, as appropriate, to an appropriate public agency or public utility, to be used for purposes similar to those for which the Association was created. In the event such distribution is refused acceptance, such assets will be granted, conveyed and assigned to any nonprofit corporation, association, trust, or other organization and operated for such similar purposes, but in no event shall such assets inure to the benefit of any member or other private individual; provided however, all Owners shall be jointly and severally responsible for the operation and maintenance of the Surface Water Management System Facilities in accordance with the requirements of the Environmental Resource Permit for the Surface Water Management System Facilities, unless and until an alternate entity assumes responsibility.

Article XI: Incorporators

The name and street address of the incorporator is:

<u>Name</u>	<u>Address</u>
Jesse Douthit	1400 Broadway Blvd. S.E., Polk City, Florida 33868

Article XII: Bylaws

The bylaws of the Association shall be initially adopted by the board of directors. Thereafter, the bylaws may be amended by majority vote of a quorum of the members present at any regular or

special meeting of the membership duly called and convened.

Article XIII: Amendments

Any amendments of these articles may be proposed by any member of the Association at any regular or special meeting of the membership duly called and convened and shall require the assent of the members entitled to cast at least 66% of the total votes eligible to be cast at any regular or special meeting of the membership duly called and convened.

Article XIV: Indemnity

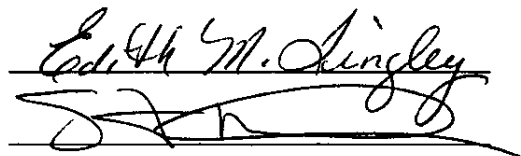
The Association shall indemnify any person made a party or threatened to be made a party to any threatened, pending, or completed action, or proceeding, pursuant to the provisions contained in Sections 617.0831 and 607.0850, Florida Statutes (2002), and any amendments thereto.

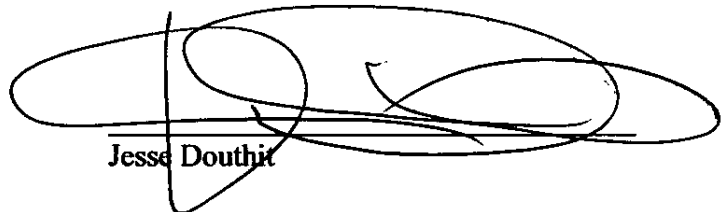
Article XV: Interpretation

Express reference is hereby made to the terms and provisions of the Declaration where necessary to interpret, construe, and clarify the provisions of these articles of incorporation. In subscribing and filing these articles, it is the intent of the undersigned that the provisions hereof be consistent with the provisions of the Declaration and, to the extent not prohibited by law, that the provisions of these articles and the Declaration be interpreted, construed, and applied so as to avoid inconsistencies or conflicting results.

Executed at Winter Haven, Polk County, Florida, on this 20 day of JUNE, 2007.

Signed in the presence of:


Edith M. Singley

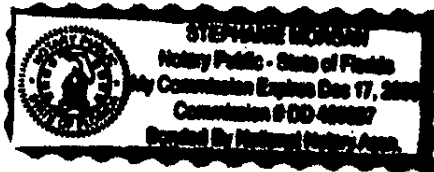

Jesse Douthett

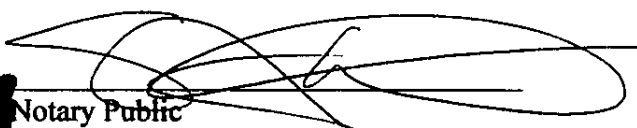
STATE OF FLORIDA

COUNTY OF POLK

The foregoing instrument was acknowledged before me this 20 day of June, 2007, by JESSE DOUTHIT, who ☒ is personally known to me or ☐ produced _____ as identification.

(SEAL)



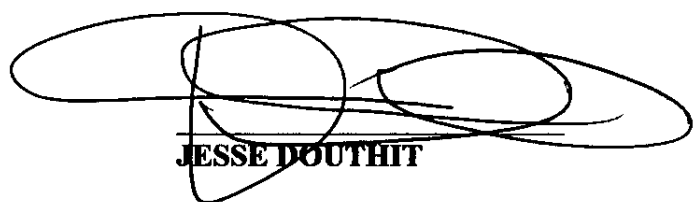

Notary Public

My Commission Expires: 12-17-2009

ACCEPTANCE OF REGISTERED AGENT

Having been named as registered agent to accept service of process for the above named corporation, at the place designated, I hereby accept the appointment as registered agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes relating to the proper and complete performance of my duties, and I state that I am familiar with, and accept, the obligations of my position as registered agent.

Dated: 20 June, 2007


JESSE DOUTHIT

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TALLAHASSEE, FLORIDA

EXHIBIT "A"

Legal Description:

A portion of the Amended Map of Polk City as recorded in Plat Book 24, Pages 1 and 1A of the Public Records of Polk County, Florida, described as follows: Begin at the Southwest corner of Lot 7, Block 52 of said Amended Map of Polk City, said point being on the Northerly right of way line of Lake Shore Drive and a curve concaved Northeasterly, having a radius of 2159.80 feet, a chord distance of 266.83 feet and a chord bearing of S68°05'13"E; thence Southeasterly along the arc of said curve and said Northerly right of way line, through a central angle of 07°04'59", and arc distance of 267.00 feet; thence N18°22'08"E, 140.00 feet to a point on a curve, concaved Northeasterly, having a radius of 2019.80 feet, a chord distance of 237.84 feet and a chord bearing of N68°15'11"W; thence Northwesterly, along the arc of said curve, through a central angle of 06°45'02" an arc distance of 237.98 feet; thence S30°14'12"W, 140.53 feet to the Point of Beginning.

AND

A portion of the Amended Map of Polk City as recorded in Plat Book 24, Pages 1 and 1A of the Public Records of Polk County, Florida, described as follows: Commence at the Southwest corner of Lot 7, Block 52 of said Amended Map of Polk City, said point being on the Northerly right of way line of Lake Shore Drive and a curve concaved Northeasterly, having a radius of 2159.80 feet, a chord distance of 355.60 feet and a chord bearing of S69°16'03"E; thence Southeasterly along the arc of said curve and said Northerly right of way line, through a central angle of 09°26'39", and arc distance of 356.00 feet to the Point of Beginning; thence continue along said right of way line and said curve, concaved Northeasterly, having a radius of 2159.80 feet a chord distance of 355.59 feet and a chord bearing of S78°42'44"E; thence Southeasterly along the arc of said curve, through a central angle of 09°26'38", an arc distance of 356.00 feet; thence N06°33'56"E, 140.00 feet to a point on a curve, concaved Northeasterly, having a radius of 2019.80 feet, a chord distance of 332.54 feet and a chord bearing of N78°42'44"W; thence Northwesterly, along the arc of said curve, through a central angle of 09°26'38" an arc distance of 332.92 feet; thence S16°00'32"W, 140.00 feet to the Point of Beginning.

AND

A portion of the Amended Map of Polk City as recorded in Plat Book 24, Pages 1 and 1A of the Public Records of Polk County, Florida, described as follows: Commence at the Southwest corner of Lot 7, Block 52 of said Amended Map of Polk City, said point being on the Northerly right of way line of Lake Shore Drive and a curve concaved Northeasterly, having a radius of 2159.80 feet, a chord distance of 968.74 feet and a chord bearing of S77°30'22"E; thence Southeasterly along the arc of said curve and said Northerly right of way line, through a central angle of 25°55'10", and arc distance of 977.05 feet to the Point of Beginning; thence continue along said right of way line and said curve, concaved Northeasterly, having a radius of 2159.80 feet a chord distance of 11.17 feet and a chord bearing of N89°22'55"E; thence Easterly along the arc of said curve, through a central angle of 00°17'47", an arc distance of 11.17 feet to the end of said curve thence N89°14'17"E along said right of way line, 199.24 feet; thence N43°37'59"W, 191.03 feet; thence S89°15'25"W, 79.41 feet; thence S00°28'11"E, 140.00 feet to the Point of Beginning.